

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
DECEMBER 9, 2003
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Joe Wardy present and presiding and the following Council Members answered roll call: Susan Austin, Robert A. Cushing, Jr., Jose Alexandro Lozano, John F. Cook, Daniel S. Power, Paul J. Escobar, Vivian Rojas, and Anthony W. Cobos. Absent: None. Paul J. Escobar left the meeting at 11:08 a.m. and came back at 12:26 p.m. Meeting was called to order at 9:10 a.m. and the invocation was given by Chaplain Ellen Fenter, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

1. ***Senior All Star Football Classic Week***
2. ***Operation Santa Claus Day***
3. ***Bill of Rights Day***

No action was taken on the following item: Child Welfare appropriate action. [William F. Hart Jr.]

Mr. Hart commented on billboards placed throughout the City pertaining to children.

Representative Rojas, Lozano and Mayor Wardy commented.

Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to delete the following item: El Paso in need of a Rapid Transit, creating not only jobs, expanding already modern development. [Bill G. Orona]

Item: Discussion and action on a proposed memorial sign for Gus Massey that would be placed 'near' the corner of El Paso and 6th Streets. Also, action concerning a process on completing this project. [Gus Massey, Jr.]

Mr. Massey requested that a sign on 6th Street be erected in memory of his father and answered questions from and responded to comments made by the Council Members.

Representatives Cobos, Austin, Power and Mayor Wardy commented.

Ms. Patricia D. Adauto, Deputy CAO for Building and Planning Services, explained the procedure required for a "Special Privilege" and commented on Off-Premise signage as per the Municipal Code.

Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

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*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meetings of November 18, November 26, 2002, and December 2, 2003.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week the Minutes for the Regular City Council Meeting of September 30, 2003.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Lessor’s Disclaimer and Waiver in connection with the Fixed Base Operators Lease and Operating Agreement by and between the City of El Paso and Cutter Aviation El Paso Limited Partnership dated December 2, 2003, covering the property municipally known and numbered as 1771 Shuttle Columbia, El Paso, Texas.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Lease Reinstatement and Modification Agreement by and between the City of El Paso (“Lessor”) and B & J Family Limited Partnership f/k/a Bobrow Family Limited Partners (“Lessee”) for property municipally known and numbered as 1633 Airway, El Paso, Texas.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following contracts on behalf of the Arts and Culture Department, to be funded through the FY2004 Downtown Festivals and Cultural Programs of the Arts and Culture Department, as recommended by the Arts and Culture Board and Staff.

ORGANIZATION		AMOUNT
1.	Insights El Paso Science Museum	\$10,000.00
2.	El Paso Heritage Week Festival	<u>10,000.00</u>
TOTAL:		\$20,000.00

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign on behalf of the City, a Contract of Sale between the CITY OF EL PASO and CARLOS C. AND ANA M. RODRIQUEZ for the purchase of Lots 5 and 6, Block 26, WOODLAWN, El Paso, El Paso County, Texas, also known as 208 Gateway Boulevard North to be used for the purpose of completing the El Paso Zoo Expansion Project.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign on behalf of the City, a Contract of Sale between the CITY OF EL PASO and GERARDO GUERRERO for the purchase of Lot 4, Block 26, WOODLAWN, El Paso, El Paso County, Texas, also known as 206 Gateway Boulevard North to be used for the purpose of completing the El Paso Zoo Expansion Project.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, having found in accordance with Section 13.32.040 of the El Paso Municipal Code that (1) the late filing was not due to a lack of diligence on the part of the applicant; and (2) the short notice does not unreasonably prejudice the City in preparing for the parade or temporary event, has approved the following parade permit, and that such approval is hereby ratified:

Request submitted on November 25, 2003, by Clinton DeWorth for a temporary event permit; to-wit, a Peaceful Student Protest, the 201 East Main Drive - Sidewalk only, beginning at 4:30 p.m. and continuing until 8:00 p.m., on Wednesday, December 3, 2003.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the El Paso Museum of Art be authorized to co-sponsor a musical concert with the Mexican Consulate in the Museum auditorium, from 7:00 p.m. to 9:00 p.m., December 11, 2003. Admission is free to the public.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Interlocal Agreement by and between the City of El Paso ("CITY"), and the University of Texas at El Paso ("UTEP"), where the CITY agrees to provide space for UTEP to conduct classes for the Executive Master of Public Administration Program at 2 Civic Center Plaza, thereby accommodating city employees. The contract period is from January 1, 2004 through December 31, 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign an Exhibit Contract with Fred Morales covering an exhibit entitled "History of Ysleta, Texas" at the Ysleta Library Branch of the El Paso Public Library System for the period of February 1 through 29, 2004. This exhibition is at no cost to the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to Interlocal Agreement by and between the Texas Department of Public Safety and the City of El Paso relating to the Bureau of Justice "NIBRS Implementation of a Texas Collaboration of Jurisdictions" grant previously awarded to the Police Department.

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***NOTICE OF PUBLIC HEARING**

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 13th day of January, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 2927 Mountain Ave., in El Paso, Texas, which property is more particularly described as:

Lots: 13 and 14, Block 7, MILITARY HEIGHTS ADDITION, an Addition to City of El Paso County, Texas.

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Hector & Bertha Correa, 3116 Aurora Ave., El Paso, Texas 79930, Alphonso Correa, 5101 Bragg Ave., El Paso, Texas 79904, Manuel Correa (deceased), and Arturo Correa (deceased) are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

- l) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;

- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owner's lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 13th of January, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 5833 Porpoise Dr., in El Paso, Texas, which property is more particularly described as:

Lot: 9, Block 17, DOLPHIN TERRACE UNIT 3, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 1, Page 49, Plat Records of El Paso County, Texas.

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Mario and Nancy Ramirez, 5833 Porpoise Drive, El Paso, TX 79924, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owner's lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

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*Motion made, seconded and unanimously carried to postpone one (1) week the request authorizing to allocate \$2,000 from District 2 Discretionary Funds to the Fire Department and Local 51 to assist with a Christmas Event in central and northeast El Paso.

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*Motion made, seconded and unanimously carried to approve the request authorizing to allocate \$750.00 from District 2 Discretionary Funds to Nolan Richardson Recreation Center to purchase equipment for their karate classes.

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*Motion made, seconded and unanimously carried to approve the request authorizing to allocate \$250.00 from District 2 Discretionary Funds to the Memorial Park Library to assist with purchasing books to be given to children during the library's Christmas Party.

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*Motion made, seconded and unanimously carried to approve the request authorizing to allocate \$500.00 from District 5 Discretionary funds to Keep El Paso Beautiful to assist with expenses in conjunction with kick off Block Party/Barbecue of "NeighborWoods" program being held December 13 in the eastside.

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*Motion made, seconded and unanimously carried to postpone one (1) week the request authorizing to allocate \$1,000 from District 8 Discretionary Funds to the Fire Department and Local 51 to assist with a Christmas Event in Southwest El Paso.
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Motion made, seconded and unanimously carried to move to the forefront of the regular agenda the re-appointment of Roger Ortiz, D.D.S. to the City-County Board of Health by Mayor Joe Wardy, nominated by the El Paso Dental Society.

Dr. Roger Ortiz, D.D.S., thanked Council for their support and commented on the City-County Board of Health future issues.

Representatives Lozano, Power and Cook commented.

Dr. Chavarria, President of the El Paso District Dental Society, explained that Dr. Ortiz was the incumbent to the City-County Board of Health and best qualified to serve.

Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to re-appoint Roger Ortiz, D.D.S. to the City-County Board of Health by Mayor Joe Wardy, nominated by the El Paso Dental Society.

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*Motion made, seconded and unanimously carried to approve the request to fill the following position on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Clerk Typist III (1)

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*Motion made, seconded and unanimously carried to approve the following provisional appointments in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Museum Facility Operations Supervisor (1)
- B. Auto Technician I (1)
- C. Recreation Specialist (3)
- D. Criminal Intelligence Liaison (1)

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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Street

Add	3.00	Street Operations Assistant	GS19
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*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- E. PID #D468-000-0020-0400, \$556.52 per month installments on a balance of \$3,339.12 for 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001 & 2002 taxes; Glenn Kirk Williams - 14720 JoAnn Dr.
- F. PID's #X579-000-2260-0490 & X579-000-2260-0491, \$408.01 per month installments on a balance of \$9,792.24 for 1999, 2000, 2001 & 2002 taxes; Jose R. Gonzalez & 3 - 13441 Boots Green.
- G. PID #X579-000-2340-0107, \$410.89 per month installments on a balance of \$2,465.34 for 2002 taxes; JASPA Inc. Jaime A. & Sandra Alderette – 12906 Montana.

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*Motion made, seconded and unanimously carried to delete the following installment agreement for AD VALOREM taxes:

PID #V893-999-1130-1700, \$213.47 per month installments on a balance of \$3,842.46 for 2001 & 2002 taxes; Roberto & Martha O. Torres – 10921 Tom Weiskopf Dr.

*Motion made, seconded and unanimously carried to award Bid No. 2003-164 Disposal of Waste Tires

Award to: Chaparral Sand & Gravel
Chaparral, New Mexico
Item (s): All
Amount: \$30,000.00 (estimated annually)

Department: Various
Funds available: Various
Funding source: Various
Total award: \$90,000.00 (estimated)

The Departments of Solid Waste Management and Purchasing recommend award as indicated as this vendor is the responsible and responsive bidder meeting specifications.

This is a thirty-six (36) month contract with no option to extend the contract.

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*Motion made, seconded and unanimously carried to award Bid No. 2003-210 Glass Beads (Airport Grade)

Award to: Centerline Supply Ltd.
Grand Prairie, Texas
Item (s): 1
Amount: \$25,000.00 (estimated annually)

Department: Aviation
Funds available: 62620003-503121-40101-62000
Funding source: Airport Operating Fund
Total award: \$25,000.00 (estimated annually)

The Department of Aviation and the Purchasing Department recommend award as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties.

A lower bid was received but was deemed non-responsive as detailed in the backup.

This is a twenty-four (24) month requirements-type Contract for Glass Beads for the El Paso International Airport.

Vendor does not offer the option of extending the term of the contract. Vendor does not offer a prompt payment discount.

The Contract will officially begin at 12:01 A.M., December 15, 2003.

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*Motion made, seconded and unanimously carried to award Bid No. 2004-010 Advertising and Educational Service for the City of El Paso Recycling Program

Award to: The Gwinn Co., LLC dba Advertising Ink
El Paso, Texas
Item (s): All
Amount: \$14,750.00 (estimated annually)

Department: Solid Waste Management
 Funds available: 34010293-40403-502116
 Funding source: Recycling Program – Promotional Services
 Total award: \$44,250.00 (estimated)

Solid Waste Management and Purchasing recommend award, as this vendor provided the best value to the City meeting specifications.

This is a Thirty-six (36) month contract with the option to extend the contract for an additional three (3) years. Additionally, this vendor offers a 1%10 Prompt Payment Discount.

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 *Motion made, seconded and unanimously carried to award Bid No.: 2004-012 Photographic Supplies

Award to:	Vendor 1:	Samy's Camera Los Angeles, CA
Item (s):		Group I, #1 to #9, Group IV, #8, #9 and #12
Amount:		\$4,527.08 (estimated total)
	Vendor 2:	HPI Int'l, Inc. Brooklyn, NY
Item (s):		Group II, #1, Group IV, #7 and #10
Amount:		\$1,258.00 (estimated total)
	Vendor 3:	Alkit Pro Camera, Inc. New York, NY
Item (s):		Group II, #2 to #7 Group III, #1, #3, #4, #6, #7 and #8
Amount:		\$4,878.00 (estimated total)
	Vendor 4:	Valley Litho Supply Rice Lake, WI
Item(s):		Group III, #2, Group IV, #6
Amount:		#3,317.00 (estimated total)
	Vendor 5:	Office Depot El Paso, TX
Item (s):		Group III, #5, Group IV, #4, #5, #11, #13, #14, and #15
Amount:		\$10,005.35 (estimated total)
	Vendor 6:	Camera & Darkroom Albuquerque, New Mexico
Item (s):		Group IV, #1, #2, #3
Amount:		\$582.80 (estimated total)

Department: Police
 Funds available: 21010072-503107
 Funding source: General Funds
 Total award: \$24,533.43

The Police and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor #6 offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.

This is a Requirements Type Contract with an initial term of Twenty-Four (24) months.

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Motion made, seconded and unanimously carried to move to the regular agenda the request of Centro de Salud Familiar La Fe to block off Scenic Drive between Wheeling Ave. and Rim Rd. on December 20, 2003 from 6:00 a.m. to 10:00 p.m. for light and viewing luminaries.

Ms. Teresa Craig, Centro de Salud Familiar La Fe representative, requested that the time noted on the parade request (6:00 a.m. to 10:00 p.m.) be changed from 6:00 a.m. to 11:59 p.m. to allow staff time to clean up the luminaries.

Commander Cliff Walsh, El Paso Police Department, noted that the police presence would be from 6:00 p.m. to 10:00 p.m.; therefore, the applicant fee would be revised from \$2,861.00 to \$1,267.00 and added that the barricades would be manned at both ends of Scenic Drive.

Motion made by Representative Cushing, seconded by Representative Escobar and unanimously carried, as amended, to approve the request of Centro de Salud Familiar La Fe to block off Scenic Drive between Wheeling Ave. and Rim Rd. on December 20, 2003 from 6:00 a.m. to 11:59 p.m. for light and viewing luminaries. Route: Start at Richmond St. and Alabama to Scenic Drive; proceed on Scenic Drive to Rim Rd and Robinson. Approximately 250 persons, 500 vehicles will take part and 1,200 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." PERMIT NO. 03-187 [Teresa L. Craig/Griselda Juarez]

NOTE: Request was revised from "6:00 a.m. to 10:00 p.m." to "6:00 a.m. to 11:59 p.m." and the estimated cost to the applicant was revised from "\$2,861.00" to "\$1,267.00".

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*Motion made, seconded and unanimously carried to approve the request of Sacred Heart Church to block off S. Oregon St. between 4th & Fr. Rahm and Fr. Rahm between S. Mesa & S. Oregon on December 11, 2003 and December 12, 2003 from 6:00 p.m. to 11:59 p.m. for a block party (matachines). Approximately 50 persons will take part and 60 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT NO. 03-189 [Fr. Rafael Garcia, S.J.]

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Motion made, seconded and unanimously carried to move to the regular agenda the request of 1320 Club EP to hold a charity parade on December 14, 2003 from 1:30 p.m. to 2:30 p.m.

Commander Cliff Walsh, El Paso Police Department, actual cost to the applicant should be \$274.00.

Mr. Luis Garcia, 1320 Club EP representative, explained that 1320 Club EP was a non-profit car club.

Ms. Lisa A. Elizondo, City Attorney, clarified that the applicant was not aware that the City was co-sponsoring this event; however, requested the motion be amended to include the authority of the City Attorney's office to negotiate and execute the Co-Sponsorship Agreement, if any.

Representatives Austin and Cobos agreed that the 1320 Club EP could afford to pay the \$274.00.

Motion made by Representative Austin, seconded by Representative Cobos and unanimously carried, as amended, to approve the request of 1320 Club EP to hold a charity parade on December 14, 2003 from 1:30 p.m. to 2:30 p.m. Route: Start at Fanatics parking lot on Airway to Montana Ave., turn right on Montana, proceed on Montana Ave. to George Dieter, turn right on George Dieter to Pellicano Dr., turn right on Pellicano Dr. to Lee Trevino Blvd., turn right on Lee Trevino to Pebble Hills Blvd., turn left on Pebble Hills and finish at the Pebble Hills Regional Command. Approximately 100 persons, 100 vehicles will take part and 100 spectators are anticipated. PERMIT NO. 03-191 [Jody L. Stice]

NOTE: Estimated cost to the applicant on this request was revised from "\$3,024.00" to "274.00".

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Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to suspend the Rules of Order regarding electronic voting for the Introductions on the agenda.

H. An Ordinance changing the zoning of Tracts 4C2A and 4C2B, Block 2, Ascarate Grant, El Paso, El Paso County, Texas (1401 and 1411 Airway Boulevard) from M-1 (Light Manufacturing) to C-4 (Commercial). The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: The Mesa Group I LTD / Representative: Conde, Inc.; 1790 Lee Treviño Drive, Suite 400, El Paso, TX 79936. ZON03-00074.

I. An Ordinance changing the zoning of a portion of Tract 1X, Block 1, Ascarate Grant, El Paso, El Paso County, Texas from R-F (Ranch and Farm) to C-1 (Commercial) and imposing certain conditions. The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Lee Treviño LLC / Representative: Robert Seipel Associates; 1845 Northwestern Drive, Suite B, El Paso, TX 79912. ZON03-00068.

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

An Ordinance creating Tax Increment Financing District Number Four (No. 4), City of El Paso (50 acre site on the Southeast corner of Viscount and Hawkins Blvd.); making Findings Of Fact concerning the conditions of blight, residential property and assessed valuation within said District; creating a Tax Increment District Board of Directors and defining the powers, duties and terms of office thereof; providing for submission of a plan of improvements for said District; providing for duties of the Tax Assessor; setting the boundaries for said District; and providing a Severability Clause.

Ms. Sylvia Borunda-Firth, Assistant City Attorney, responded to questions of the Council.

Mayor Joe Wardy noted that the information from the developer was forthcoming.

Mr. Mike Hudson, attorney representing Las Palmas Marketplace, spoke in opposition to the Ordinance and answered questions from and responded to comments made by the Council Members.

Representative Cook moved to approve the introduction of the Ordinance. There was no second.

Mr. Adrian Ocegueda, Executive Assistant to the Mayor, gave the particulars.

Mr. Ray Gilbert, citizen, spoke in opposition to TIFs.

Motion made by Representative Cook, seconded by Representative Austin and carried that the following Ordinance, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

AYES:	Representatives Austin, Cushing, Lozano, Cook, Power and Cobos
NAYS:	Representative Rojas
NOT PRESENT:	Representative Escobar

An Ordinance creating Tax Increment Financing District Number Four (No. 4), City of El Paso (50 acre site on the Southeast corner of Viscount and Hawkins Blvd.); making Findings Of Fact concerning the conditions of blight, residential property and assessed valuation within said District; creating a Tax Increment District Board of Directors and defining the powers, duties and terms of office thereof; providing for submission of a plan of improvements for said District; providing for duties of the Tax Assessor; setting the boundaries for said District; and providing a Severability Clause.

PUBLIC HEARING WILL BE HELD ON MONDAY, DECEMBER 22, 2003

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

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Motion made by Representative Cushing, seconded by Representative Cobos and unanimously carried to go back to the Rules of Order regarding electronic voting for the remainder of the meeting.

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Motion made by Representative Cushing, seconded by Representative Power and unanimously carried to postpone four (4) weeks the discussion and action regarding Indemnification provisions in City contracts.

Ms. Lisa A. Elizondo, City Attorney, explained that legal issues had been addressed regarding the indemnification provisions in City contracts; however, requested direction from the Council Members.

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Motion made by Representative Cushing, seconded by Representative Power and unanimously carried to suspend the Rules of Order regarding electronic voting for the discussion on property tax freeze for elderly or disabled and the budget transfers.

Item: Discussion on property tax freeze for elderly or disabled.

Representative Lozano moved to accept. There was no second.

Representative Cushing moved to delete the item in its entirety and to bring the item back as a discussion and action item. There was no second.

Representative Cushing than withdrew his motion to delete.

Representative Lozano moved to direct staff . . . ; however, there was no second.

Mr. Chapman gave a Powerpoint presentation. He answered questions from and responded to comments made by the Council Members. He stated that the current Texas Legislature would be conducting a Special Session in the Spring that may impact property taxes.

Mayor Wardy and representatives Austin, Power, Lozano, Cook, Cobos, Cushing and Escobar commented.

Mr. Juan Sandoval, Tax Assessor/Collector, answered the questions of Council.

Mr. Martinez answered the questions of Council.

Mr. Sandoval answered the questions of Council.

Mr. Jaime O. Perez, citizen, spoke in favor of the tax freeze and of action being taken at this meeting.

Mr. Eric Reed, Chairman of the City Accessibility Advisory Committee, asked that the figures and numbers be given to the Advisory Board for review prior to having the Council decide.

Mr. Enrique Chew, Executive Director of Volar Center for Independent Living, concurred with Mr. Reed's comments.

Mr. Jose Eduardo Chavez, citizen, stated that he had prepared a report, which he understood would be discussed at the December 16, 2003, City Council meeting, as per the October 14, 2003, Motion. He spoke in favor of the tax freeze.

Representative Lozano moved to direct staff to start the creation of an Ordinance to freeze tax on the elderly and disabled. Representative Cushing seconded.

Ms. Momsen, with the approval of the Mayor, read the following statement from Representative Lozano into the record for the inclusion of the minutes and added the following language at the request of Representative Lozano: "until Council has all the information as presented by the Legislative Review Committee Meeting of the Whole" where the date January 1, 2004 appeared on the original statement.

"Tax Freeze" Proposal
By Jaime O. Perez, Research and Policy Analyst

Proposal

The City of El Paso, through the presentation of a city ordinance by Jose Alexandro Lozano Representative for District # 3, proposes to cap taxes at the 2003 tax levy for senior citizens and disabled effective Jan. 1st 2004. ***"until Council has all the information as presented to the Legislative Review Committee Meeting of the Whole".***

State Law

An ad valorem tax freeze has been authorized by House Joint Resolution (HJR) 16 and House Bill (HB) 134 on residential homesteads of homeowners who are disabled or 65 years of age or older with such tax benefit to pass to surviving spouses.

Impact

The combined rate of growth of elderly and disabled population is 3.1% per annum. The impact of a tax freeze in the first year (2004) is equal to 77,867. The impact over 10 years is projected to be approximately \$1,119,288.

Analysis

The City of El Paso proposes a tax freeze effective January 1, 2004 for future tax increases for the benefit of the elderly and disabled. The impact does not significantly impact the city revenue stream and would

provide relief to the elderly and disabled population in El Paso. The levy loss is mitigated by the increase in values in existing accounts and, equally important, new accounts (increasing house and commercial stock).

Recommendation

The City of El Paso should adopt the tax freeze proposal effective January 1st 2004 ***“until Council has all the information as presented to the Legislative Review Committee meeting of the Whole”.***

The data used for this analysis was provided by William “Bill” Chapman, Deputy CAO, Juan Sandoval, City Tax Assessor and the Central Appraisal District. Additional data and analysis provided by Jose Eduardo Chavez.

Representative Lozano amended the “Tax Freeze” Proposal to delete effective January 1st, 2004 and replaced with the following language: ***“until Council has all the information as presented to the Legislative Review Committee Meeting of the Whole”.***

Motion made by Representative Lozano, seconded by Representative Cushing to direct City staff to draft an Ordinance for a property tax free for elderly or disabled.

- AYES: Representatives Cushing, Lozano, Rojas and Cobos
- NAYS: Representatives Austin, Power, Escobar and Mayor Wardy
- ABSTAIN: Representative Cook

Representative Cook then changed his vote to NAY. The votes being as follows:

- AYES: Representatives Cushing, Lozano, Rojas and Cobos
- NAYS: Representatives Austin, Cook, Power and Escobar

Mayor Wardy voted NAY to break the tie. Motion failed.

Motion made by Representative Cobos, seconded by Representative Lozano and unanimously carried to send this item to a Legislative Review Committee Meeting of the Whole.

- AYES: Representatives Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas, and Cobos

Motion made by Representative Austin, seconded by Representative Cushing and unanimously carried to suspend the Rules of Electronic Voting for the item above.

- AYES: Representatives Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas, and Cobos

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No action was taken on the briefing for the Navigant Proposal.

Mr. William Chapman, Deputy Chief Administrative Officer, stated that the PSB proposed that Navigant review the City’s options regarding the El Paso Electric Co. franchise.

Mayor Joe Wardy explained that he had requested that the PSB, being the largest customer of the El Paso Electric Company, fund this \$200,000 proposal.

Representative Austin commented on a “Confidential” document and whether or not the public would be privy to that information.

Ms. Lisa A. Elizondo, City Attorney, commented.
.....

Motion made by Representative Cobos, seconded by Representative Lozano and unanimously carried to eliminate the Legislative Review Committee Meetings of the Whole (Pre-Council Meetings) regularly scheduled on Mondays at 9:00 a.m.

Representative Cobos noted that the new Council Members had become familiar with Council proceedings and requested that the Legislative Review Committee Meetings of the Whole (Pre-Council Meetings) cease.

Representatives Austin and Rojas thanked City staff and Council Members for their cooperation.

Mayor Joe Wardy concurred.

Mr. Jim Martinez, Chief Administrative Officer, commented.

NOTE: This item was discussed together with the discussion and action on eliminating the Special City Council meeting regularly scheduled on Mondays at 8:45 a.m.

.....
Motion made by Representative Austin, seconded by Representative Rojas and unanimously carried to move the discussion and action on City and County negotiations involving properties located at or near the following addresses: 222 S. Campbell; 215 S. Campbell; 200 S. Campbell; 211 and 325 Shelter; 800-810 E. Overland; 821 E. Overland; 6314 Delta; and 1014 Stanton, into executive session of the regular agenda.

No action was taken on the discussion and action on City and County negotiations involving properties located at or near the following addresses: 222 S. Campbell; 215 S. Campbell; 200 S. Campbell; 211 and 325 Shelter; 800-810 E. Overland; 821 E. Overland; 6314 Delta; and 1014 Stanton.

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ORDINANCE 15623

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.150 (SCHEDULE XIV, SPEED LIMITS), OF THE EL PASO MUNICIPAL CODE, TO ADD A SUBSECTION IDENTIFYING THE SPEED LIMIT AS THIRTY-FIVE MILES PER HOUR ON PULLMAN DRIVE. THE PENALTY IS AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was further public comment.

Motion duly made by Representative Escobar, seconded by Representative Power, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15624

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A RENEWAL OF THE FRANCHISE FOR LIFE AMBULANCE SERVICE, INC. TO OPERATE A NON-EMERGENCY AMBULANCE TRANSFER SERVICE.**

Medical Assistant Chief Loretta Jordan recommended that Council Members approve the renewal of the franchise for Life Ambulance Service, Inc.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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ORDINANCE 15625

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO CREATE THE CLASS OF SYSTEMS ACCOUNTANT.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15626

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF TRAINING SPECIALIST.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Austin, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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Motion made by Representative Cook, seconded by Representative Power and unanimously carried to move to the forefront of the regular agenda the following:

ORDINANCE 15627

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE CITY CODE OF EL PASO BY ADDING A NEW CHAPTER 2.77, TO ESTABLISH THE CITY OF EL PASO TREE BOARD; PROVIDE FOR COMMITTEE MEMBERSHIP; DUTIES; TERMS OF OFFICE; FOR THE PURPOSE OF DEVELOPING RECOMMENDATIONS TO THE MAYOR AND CITY COUNCIL, AND THE DISSEMINATION OF INFORMATION TO THE PUBLIC, REGARDING THE DEVELOPMENT OF ONGOING PROGRAMS FOR THE PRESERVATION, PROTECTION, MAINTENANCE AND REMOVAL OF TREES IN THE CITY OF EL PASO.**

Mr. Brent Pearson, City of El Paso Arborist, and Dr. Tammy Bendele, West Texas Urban Forestry Council, gave a Powerpoint presentation (on file in the City Clerk's office) regarding the inception of a Tree Board for the City of El Paso. They answered questions from and responded to comments made by the Council Members.

Representatives Lozano, Power, Cushing, Cook, and Rojas asked questions and/or made comments.

Mr. Daryl Cole, Street Director, commented on the "NeighborWoods Program" and the use of private/public right-of-ways.

Mrs. Dee Wardy, citizen, encouraged the passage of the Ordinance.

Motion duly made by Representative Austin, seconded by Representative Power, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Rojas and Cobos
NAYS: None Absent: None

Representative Escobar was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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*Motion made, seconded and unanimously carried to postpone until the Regular City Council Meeting scheduled for Friday, January 2, 2004, three (3) weeks, an Ordinance changing the zoning of a Portion of Lot 3, Block 46, Sun Ridge Unit 12, El Paso, El Paso County, Texas (Zaragoza Road & Sun Fire Blvd.) from C-1/sc (Commercial/special contract) to C-3/sc (Commercial/special contract) and imposing certain conditions. The penalty is as provided in Section 20.68.010 of the El Paso Municipal Code. ZON03-00032. Applicant: E.P. Summit Investments, L.P./ Representative: David Etzold, 201 East Main, Suite 103, El Paso, TX 79901.

.....
*Motion made, seconded and unanimously carried to postpone until the Regular City Council Meeting scheduled for Friday, January 2, 2004, three (3) weeks, an Ordinance granting Special Permit No. ZON03-00039, to allow for a ground-mounted radio broadcasting antenna support structure with antennas and equipment storage facilities on a portion of Tracts 53 and 54, Valley Gate Subdivision, El Paso, El Paso County, Texas (275 Springfield Street) pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: McClatchey Broadcasting / Representative: Arnold McClatchey, 6900 Commerce, El Paso, TX 79915.

ORDINANCE 15628

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO HCA HEALTH SCIENCE OF TEXAS, INC. DBA LAS PALMAS MEDICAL CENTER PERMITTING THE ENCROACHMENTS ONTO PUBLIC RIGHTS-OF-WAY WITH TWO (2) SUBSURFACE CHILLER WATER LINES, ONE (1) SUBSURFACE CONCRETE ELECTRICAL DUCT BANK, ONE (1) SUBSURFACE FIRE LINE, ONE (1) STAFF/PATIENT SKY BRIDGE WHICH WILL INCLUDE CABLE AND CONDUIT AND ONE (1) METAL AWNING, ALONG OREGON STREET AND RIM ROAD.**

Mr. Rudy Valdez, Chief Urban Planner, explained that City staff was supportive of the Ordinance and that the DCC (Development Coordinating Committee) and CPC (City Plan Commission) recommended approval.

Motion duly made by Representative Austin, seconded by Representative Cushing, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:	Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos
NAYS:	None
Absent:	None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance authorizing the City of El Paso to enter into a Joint Use Agreement with Wal-Mart Store East, Inc. for the purpose of granting each party certain easement rights and to undertake certain obligations in connection with a portion of Lot 5, Block 11, Vista Del Sol Unit 2, City of El Paso, El Paso County, Texas and a portion of Tract 3, Block 1, Ascarate Grant, City of El Paso, El Paso County Texas.

.....
Motion made by Representative Cobos, seconded by Representative Rojas and unanimously carried to postpone three (3) weeks, until the Regular City Council meeting scheduled for Friday, January 2, 2004, the public hearing to determine if the property located at 807 E. Fourth Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated June 23rd, 2003. The owners of this property, Jose Luis Cadena and Alma Delia Hernandez, 1107 Delta Drive #B, El Paso, Texas 79901 and Jesus Rivera, 1200 N. Copia Street, El Paso, Texas 79903, have been notified of the violations at this property. Delinquent taxes in the amount of \$1,559.58.

Mr. Manuel Garcia, property owner, requested an additional three weeks to gather the appropriate documents for the Building Permits and Inspections Department.

Mr. Thomas Maguire, Building Permits and Inspections, was agreeable.

Motion made by Representative Cobos, seconded by Representative Lozano and unanimously carried to postpone for three (3) weeks.

Representative Cobos withdrew his motion in order to address Representative Escobar's questions.

Representative Escobar questioned whether Mr. Garcia would have sufficient time (three weeks) to gather the necessary documents.

Mr. Thomas Maguire, Building Permits and Inspections, responded yes.

Motion made by Representative Cobos, seconded by Representative Austin and unanimously carried to reconsider the public hearing to determine if the property located at 807 E. Fourth Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.

Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried to postpone two (2) weeks, until the Regular City Council meeting scheduled for Monday, December 22, 2003, the public hearing to determine if the property located at 160 Newman St., aka 1400-1402 Myrtle Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owners of this property, Telles Group Inc., A Texas Corporation, 2120 Myrtle Avenue, El Paso, Texas 79901, have been notified of the violations at this property. Delinquent taxes in the amount of \$1,723.30.

ADDITION TO THE AGENDA

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign an Agreement by and between the CITY OF EL PASO and CENTRO DE SALUD FAMILIAR, LA FE, INC., relating to the Environmental Protection Agency's on-going environmental investigation involving the collection of soil samples, known as the El Paso County Metals Site Survey. There is no cost to the City related to this Agreement.

Representative Cushing questioned language with the Contract, cost to the City and what training assistance the City would provide.

Mayor Joe Wardy explained that the City had an open contract with AMEC, the company who provided toxicologists for the first soil sampling and provided further explanation regarding sharing soil samples with the EPA. He noted that La Fe would be acting as a mechanism to for the City to recover soil samples from the EPA.

Representative Rojas questioned the expansion of the study and the testing of bloodlet levels.

Mayor Wardy explained that the EPA was expanding the study and that the City was working in progress with that entity.

Ms. Laura Uribarri, Mayor's Office, explained that community meetings would be held and that families would be encouraged to be tested at La Fe or their private physicians.

Motion made by Representative Cushing, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

*Motion made, seconded and unanimously carried to approve the request authorizing to allocate \$300.00 from District 2 Discretionary Funds to Wellington Chew Senior Citizen Center, to assist with their Christmas Party.

*Motion made, seconded and unanimously carried to approve the request authorizing to disburse \$300 from District 5 Discretionary funds to Engineering Traffic Division and authorizing City staff to install temporary closure at George Dieter & Pratt Avenue.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to reconsider the following two items on the Addition to the Agenda:

- 4. Discussion & action on alternative traffic-calming options for Trawood Drive, between Montwood Drive and Robert Wynn St.
- 5. Discussion and action on eliminating the Special City Council meeting regularly scheduled on Mondays at 8:45 a.m.

Motion made by Representative Cook, seconded by Representative Rojas and unanimously carried to move the discussion & action on alternative traffic-calming options for Trawood Drive, between Montwood Drive and Robert Wynn St. into executive session of the regular agenda.

Mr. Jim Martinez, Chief Administrative Officer, requested that the Traffic Engineering Department place the item on the Agenda.

Mr. Ted Marquez, Traffic Engineer Division Manager – Engineering, gave a Powerpoint presentation (on file in the City Clerk’s office) and explained the three traffic-calming options.

Representative Power commented that he had previously requested two additional stop signs at the intersection of Lake Erie and Trawood and requested that all Council Members be provided the cost estimates for the traffic humps, roundabouts and diverters as presented in the Powerpoint presentation.

Representatives Escobar and Austin made remarks and/or asked questions of City staff members Mr. Marquez and/or Mr. Daryl Cole, Street Director.

No action was taken on the discussion & action on alternative traffic-calming options for Trawood Drive, between Montwood Drive and Robert Wynn St.

Motion made by Representative Austin, seconded by Representative Lozano and unanimously carried to eliminate the Special City Council meetings regularly scheduled on Mondays at 8:45 a.m.

Mr. Jim Martinez, Chief Administrative Officer, explained that it was no longer necessary to hold these meetings.

Mayor Joe Wardy thanked City staff and Council Members for their cooperation.

NOTE: This item was discussed together with discussion and action on eliminating the Legislative Review Committee Meetings of the Whole (Pre-Council Meetings) regularly scheduled on Mondays at 9:00 a.m.

SECOND ADDITION TO THE AGENDA

Motion made, seconded and unanimously carried to move to the regular agenda budget transfer BT2004-225 BUILDING AND PLANNING SERVICES.

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Cobos, seconded by Representative Austin and unanimously carried to approve budget transfer BT2004-225 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$82,000 to fund the construction phase of Irrobali, Tula (Alamo) park. Funding source is 2000 QOL bonds.

Increase	\$82,000	to	31130550/PPW004604560060/508027	Construction
Increase	\$82,000	to	31130550/PPW004604560060/407020	Bond Proc

NOTE: All budget transfers were considered together.

Motion made, seconded and unanimously carried to move to the regular agenda budget transfer BT2004-226 BUILDING AND PLANNING SERVICES.

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Cobos, seconded by Representative Austin and unanimously carried to approve budget transfer BT2004-226 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$58,000 to fund the construction phase of the Boys and Girls Club. Funding source is 2000 QOL bonds.

Increase	\$58,000	to	31130550/PPW0046036YR260035/508027	Construction
Increase	\$58,000	to	31130550/PPW0046036YR260035/407020	Bond Proc

NOTE: All budget transfers were considered together.

.....
Motion made, seconded and unanimously carried to move to the regular agenda budget transfer BT2004-228 BUILDING AND PLANNING SERVICES.

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Cobos, seconded by Representative Austin and unanimously carried to approve budget transfer BT2004-228 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$22,000 to fund the construction phase of park improvements to Alta Vista Park. Funding source is 2000 QOL bonds.

Increase	\$22,000	to	31130550/PPW0046040YR260043/508027	Construction
Increase	\$22,000	to	31130550/PPW0046040YR260043/407020	Bond Proc

NOTE: All budget transfers were considered together.

.....
Motion made, seconded and unanimously carried to move to the regular agenda budget transfer BT2004-232 BUILDING AND PLANNING SERVICES.

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Cobos, seconded by Representative Austin and unanimously carried to approve budget transfer BT2004-232 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$1,282,000 to fund construction phase of citywide minor drainage improvements phases 4 & 6. Funding source is previous sales of GO Bonds.

Increase	\$ 15,000	to	31115108/PPW002900326061/508051	Prog Mgmt
Increase	\$ 5,000	to	31115108/PPW002900326061/508022	Admin Fees
Increase	\$1,200,000	to	31115108/PPW002900326061/508027	Const Cont
Increase	\$ 31,000	to	31115108/PPW002900326061/508026	Inspection
Increase	\$ 31,000	to	31115108/PPW002900326061/508024	Testing
Increase	\$1,282,000	to	31115108/PPW002900326061/407002	Est Rev

NOTE: All budget transfers were considered together.

.....
*Motion made, seconded and unanimously carried to delete the following executive session item:
Discussion and action regarding Indemnification Provisions in City contracts. (551.071)
.....

*Motion made, seconded and unanimously carried to postpone one (1) week the following executive session item: Bashar Abugalyon vs. City, Cause No. 2003-4896, Our File No. 03-S-57. (551.071)

Motion made by Representative Austin, seconded by Representative Power and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 2:33 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- Section 551.071 CONSULTATION WITH ATTORNEY
- Section 551.072 DELIBERATION REGARDING REAL PROPERTY
- Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
- Section 551.074 PERSONNEL MATTERS
- Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

- A. Discussion and action on Personnel Item - Dyaneh Arredondo (551.074)
- B. Discussion and action on City and County negotiations involving properties located at or near the following addresses: 222 S. Campbell; 215 S. Campbell; 200 S. Campbell; 211 and 325 Shelter; 800-810 E. Overland; 821 E. Overland; 6314 Delta; and 1014 Stanton. (551.071 & 551.072)
- C. Discussion & action on alternative traffic-calming options for Trawood Drive, between Montwood Drive and Robert Wynn St. (551.071)

Motion made by Representative Cobos, seconded by Representative Austin and unanimously carried to adjourn the Executive Session at 2:53 p.m. and reconvene the meeting of the City Council, during which time motions were made as follows:

Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that the employment contract with Dyaneh Arredondo be terminated for convenience.

No action was taken on the discussion and action on City and County negotiations involving properties located at or near the following addresses: 222 S. Campbell; 215 S. Campbell; 200 S. Campbell; 211 and 325 Shelter; 800-810 E. Overland; 821 E. Overland; 6314 Delta; and 1014 Stanton.

No action was taken on the discussion & action on alternative traffic-calming options for Trawood Drive, between Montwood Drive and Robert Wynn St.

Motion made by Representative Cook, seconded by Representative Cushing and unanimously carried to adjourn this meeting at 2:56 p.m.

APPROVED AS TO CONTENT:


Richarda Duffy Momsen, City Clerk